

value, that is, from 80% to 90% of the pores have a size ranging from minus 5 nm to plus 5 nm of the value of the distribution maximum peak, as claimed. This is clearly demonstrated throughout the specification, for instance in Example 1 (page 15, lines 16-21), Example 2 (page 16, lines 17-22) and Example 3 (page 17, lines 14-19).

Applicants therefore continue to urge that no such invention as claimed is taught or suggested in the prior art. Although Banerjee (U.S. Patent No. 5,795,668) does disclose Teflon AF as a preferred membrane, Applicants have previously demonstrated that such membranes can be distinguished from membranes as claimed in at least the following respects:

- ✓ - lower permeability (lower barrier value), and
- ✓ - different selectivity with respect to oxygen, nitrogen and carbon monoxide.

Indeed, further evidence of such distinguishing characteristics can be found in the attached brochure from DuPont regarding Teflon AF membranes. Applicants point out that at the bottom of the Table labeled "Typical Property Data for *Teflon* AF Amorphous Fluoropolymers", gas permeability values are provided. It can be seen that the permeability data reported therein is the same as the data found in the Table 1 enclosed with Applicants' response filed February 3, 2003. Clearly, the disclosure of Banerjee is unable to teach or suggest each and every element of the claimed invention.


Applicants also wish to urge that non-elected monomers (III) and (IV) be rejoined for consideration along with the elected monomers (I) and (II) in the allowance of this application. It is to be noted that the porous membranes of the present invention as claimed are prepared from (per)fluorinated amorphous polymers. Accordingly, since like the monomers (I) and (II), the monomers (III) and (IV) can also be used to prepare

such amorphous polymers, any requirement with respect to limiting the (per)fluorinated polymers to the monomers (I) and (II) is not understood. Applicants note that the exact grounds of any such requirement have not yet been clearly set forth. Perhaps more important, Applicants urge that search and examination of the entire application including monomers (I)-(II) and (III)-(IV) can be made without serious burden on the U.S. Patent and Trademark Office. See MPEP 803. It is noted that no objection concerning unity of invention with respect to claims 1-4 has been alleged during any prosecution. Applicants therefore urge that the entire application including each of the monomers (I)-(IV) may be properly examined and considered in this application.

In view of the remarks above, Applicants respectfully submit that this application is in condition for allowance and request favorable action thereon.

In the event this paper is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, referencing Attorney Docket No. 108910-00006.

Respectfully submitted,



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